

ORIGINAL

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

2006 FEB 27 AM 9:29

AUGUSTA DIVISION

CLERK *Bill McCarthy*
SO. DIST. OF GA.

KENNY PASSMORE,

Petitioner,

v.

CV 105-10

FREDRICK HEAD, Warden,

Respondent.

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. The petition is **DISMISSED**, this civil action is **CLOSED**, and final judgment is **ENTERED** in favor of respondent.

SO ORDERED this 27th day of February, 2006, at Augusta, Georgia.

[Signature]
UNITED STATES DISTRICT JUDGE